



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

April 25, 1994

Mr. Bradley M. Pettiet
Law Offices of Jones, Flygare, Galey,
Brown & Wharton
1600 Civic Center Plaza
Lubbock, Texas 79401

OR94-172

Dear Mr. Pettiet:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 22994.

The City of Seagraves (the "city") received an open records request for, *inter alia*, copies of certified agendas of certain executive sessions of the city council and transcripts of those executive sessions. You contend that these records come under the protection of section 552.101 of the Government Code, which protects "information considered to be confidential by law, either constitutional, statutory, or by judicial decision."

Section 551.104(c) of the Government Code provides that the certified agenda and tape recording of an executive session is available for public inspection only under a court order requiring such a release. Accordingly, the city may not release the requested items absent a court order instructing it to do otherwise.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Rick Gilpin".

Rick Gilpin
Assistant Attorney General
Open Government Section

RG/RWP/rho

Ref.: ID# 22994
ID# 25051

Enclosures: Submitted documents

cc: Mr. Lane Arthur
Mr. Dennis W. McGill
Attorneys & Counselors at Law
1003 Thirteenth Street
Lubbock, Texas 79401
(w/o enclosures)